



CRM-M-9559 of 2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-9559 of 2026

Date of Decision: 11.03.2026

Jaspreet Bains @ Jassi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Arti Kaur, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.154 dated 28.11.2025 registered under Sections 308(2), 351(2), 61(2) and 111 of the Bharatiya Nyaya Sanhita, 2023 and Section 11 of the Arms Act (Section 25(8) of the Arms Act added later on), at Police Station Sadar Banga, District SBS Nagar.

2. Brief facts as per the prosecution case are that on 28.11.2025, ASI Nirmal Singh along with other police officials was on patrolling duty and on the basis of secret information, apprehended three persons, namely, Lovepreet Singh @ Lovi, Yuvraj Singh @ Yuvi and Navjot Singh @ Jot, who were found in conscious possession of illegal weapons. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. She further

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submitted that the petitioner was neither present at the spot, nor has any concern with the said incident. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by the co-accused Lovepreet Singh @ Lovi. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. She further argued that the recovery of illegal weapons have already been effected from the co-accused and nothing is to be recovered from the petitioner. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, SBS Nagar, vide order dated 19.12.2025.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, he has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner has been specifically named in the FIR. He further argued that the petitioner was also specifically named in the disclosure statement of co-accused Lovepreet Singh @ Lovi and as per his disclosure statement, on the directions of Malkiat Mehmi, he along with the present petitioner had



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fired at the main gate of a factory situated near Shankar Dass Railway Crossing Behram, District SBS Nagar. He further submitted that the custodial interrogation of the petitioner is required for fair and proper investigation in the matter, and to unearth the truth. Hence, he prays for dismissal of the petition.

6. Heard.

7. In the present case, the petitioner is specifically named in FIR and the allegations against him are serious in nature. As per the status report, he was also named in the disclosure statement of co-accused Lovepreet Singh @ Lovi and as per which, on the directions of one Malkiat Mehmi, he along with the present petitioner had fired at the main gate of a factory situated near Shankar Dass Railway Crossing Behram, District SBS Nagar. The investigation is at nascent stage and *prima facie* point towards requirement of deeper probe for which custodial interrogation of the petitioner is required. While considering plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusation against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection, at this stage. Granting anticipatory bail with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the



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accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '*State Vs. Anil Sharma*', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

9. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Thus, the present petition being devoid of merits is hereby dismissed.

10. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

11.03.2026

D.Bansal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No